

SCOTT N. SCHOOLS, SC SBN 9990
United States Attorney
JOANN M. SWANSON, CSBN 88143
Assistant United States Attorney
Chief, Civil Division
ILA C. DEISS, NY SBN 3052909
Assistant United States Attorney

450 Golden Gate Avenue, Box 36055
San Francisco, California 94102
Telephone: (415) 436-7124
FAX: (415) 436-7169

Attorneys for Defendants

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION

NOLAN WAI-YIP DUONG,
and AMBER YI SHAO,

Plaintiffs,

v.

MICHAEL CHERTOFF, Secretary of the
Department of Homeland Security;
ROBERT S. MUELLER, Director of Federal
Bureau of Investigation,

Defendants.

No. C 07-3018 JW

**STIPULATION TO CONTINUE
HEARING DATE and EXTEND DATES
OF PARTIES' CROSS MOTIONS FOR
SUMMARY JUDGMENT, and
[PROPOSED] ORDER**

Date: November 16, 2007
Time: 9:00 a.m.

The plaintiffs, by and through their attorney of record, and defendants, by and through their attorneys of record, hereby stipulate, subject to approval of the Court, to the following:

1. On September 4, 2007, Plaintiffs filed a Notice of Motion for Summary Judgment and set a hearing on the motion for November 19, 2007.

2. On September 28, 2007, USCIS initiate the process to expedite the Plaintiff Amber Yi Shao's name check.

3. In order to allow sufficient time for the FBI to receive and complete the name check, and for USCIS to receive the completed name check result for Plaintiff Amber Yi Shao, the parties hereby respectfully ask this Court to extend the dates in the Court's scheduling order as follows:

Stipulation to Extend Dates
C07-3018 JW

Defendants' Motion for Summary Judgment: November 19, 2007
Parties' Oppositions to the Summary Judgment: December 3, 2007
Hearing: December 17, 2007, at 9:00 a.m.

Dated: October 16, 2007

Respectfully submitted,

SCOTT N. SCHOOLS
United States Attorney

/s/
ILA C. DEISS
Assistant United States Attorney
Attorney for Defendants

Dated: October 16, 2007

/s/
JUSTIN WANG
Attorney for Plaintiffs

ORDER

Pursuant to stipulation, IT IS SO ORDERED.

Date:

JAMES WARE
United States District Judge